

00-A -0074

(Do Not Write Above This Line)

AN ORDINANCE
BY COUNCILMEMBER MICHAEL BOND
AN ORDINANCE ADOPTED BY AUTHORITY OF THE
MUNICIPAL HOME RULE ACT OF 1965, AS
AMENDED, O.C.G.A. SECTIONS 36-35-1
THROUGH -8, TO AMEND THE BILL OF RIGHTS
OF THE CHARTER OF THE CITY OF ATLANTA
(1996 GA. LAWS P. 4469, ET SEQ.,
APPROVED APRIL 15, 1996) TO ADD COLOR,
AGE, GENDER IDENTITY, AND DISABILITY
TO THE NONDISCRIMINATION PROVISION; TO
MAKE A SIMILAR AMENDMENT TO ARTICLE 3,
CHAPTER 5, SECTION 3-502; AND FOR
OTHER PURPOSES.

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 1/18/2000

Referred To: Finance Executive

Date Referred 2/7/00

Referred To:

Date Referred

Referred To:

First Reading
Committee _____
Date _____
Chair _____
Referred to _____

Committee
Date 2-2-00
Chair
Action:
Fav, Adv, Hold (see rev. side)
Other:
Members
Refer To

Committee
Date
Chair
Action:
Fav, Adv, Hold (see rev. side)
Other:
Members
Refer To

Committee
Date
Chair
Action:
Fav, Adv, Hold (see rev. side)
Other:
Members
Refer To

Committee
Date
Chair
Action:
Fav, Adv, Hold (see rev. side)
Other:
Members
Refer To

FINAL COUNCIL ACTION
☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RRC Vote

CERTIFIED

MAYOR'S ACTION

RCS# 1731
2/07/00
5:45 PM

Atlanta City Council

Regular Session

00-O-0074

CHARTER AMENDMENT- IDENTITY, DISABILITY
TO THE NON-DISCRIMINATION PROVISION

1st ADOPT/2ND READ

*Referred to
Finance/Executive*

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 1
ABSENT 0

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	E Morris	Y Maddox	Y Alexander
Y Winslow	NV Muller	Y Boazman	NV Pitts

00-O-0074

AN ORDINANCE
BY COUNCILMEMBER MICHAEL BOND

00-0-0074

AN ORDINANCE ADOPTED BY AUTHORITY OF THE MUNICIPAL HOME
RULE ACT OF 1965, AS AMENDED, O.C.G.A. § 36-35-1 THROUGH -8, TO
AMEND THE BILL OF RIGHTS OF THE CHARTER OF THE CITY OF
ATLANTA (1996 GA. LAWS P. 4469, ET SEQ., APPROVED APRIL 15, 1996)
TO ADD COLOR, AGE, GENDER IDENTITY, AND DISABILITY TO THE
NONDISCRIMINATION PROVISION; TO MAKE A SIMILAR
AMENDMENT TO ARTICLE 3, CHAPTER 5, SECTION 3-502; AND FOR
OTHER PURPOSES.

Whereas, the Bill of Rights of the Charter of the City of Atlanta, 1996 Ga. Laws
p. 4469, et seq., approved April 15, 1996, provides that the City shall not discriminate
among persons because of race, religion, sex, marital status, sexual orientation, or
national origin, but lacks reference to color, age, gender identity, and disability; and

Whereas, a prohibition against discrimination on the basis of color is
referenced elsewhere in the City Charter and in the City of Atlanta Code of
Ordinances; and

Whereas, the City of Atlanta Code of Ordinances prohibits discrimination in
employment on account of an individual's age and disability; and

Whereas, it is in the City's interest that the provisions of the City Charter and
the Code of Ordinances be consistent; and

Whereas, gender identity, meaning self-perception as male or female, is
different from sexual orientation; and

Whereas, it is in the best interests of the City of Atlanta to treat all individuals
fairly and equitably regardless of gender identity;

NOW THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA HEREBY
ORDAINS as follows:

SECTION 1. The Bill of Rights of the Charter of the City of Atlanta, which
currently provides at paragraph 4:

Nondiscrimination. The City of Atlanta shall not, directly or indirectly,
discriminate among persons because of race, religion, sex, marital status,
sexual orientation, or national origin. Nothing herein shall prevent the City
of Atlanta from remedying present discrimination or the present effects of
past discrimination by a race-conscious affirmative action program which is
in compliance with the Constitution and laws of the United States of America
and the State of Georgia.

shall be deleted in its entirety and the following inserted in lieu thereof:

Nondiscrimination. The City of Atlanta shall not, directly or indirectly,
discriminate among persons because of race, color, religion, sex, marital
status, sexual orientation, national origin, or gender identity. Nor shall the
City of Atlanta discriminate among persons because of age, to the extent that
the Age Discrimination in Employment Act prohibits discrimination on the
basis of age, nor because of disability, to the extent that the Americans with
Disabilities Act prohibits discrimination on the basis of disability. Nothing
herein shall prevent the City of Atlanta from remedying present
discrimination or the present effects of past discrimination by a race-conscious
affirmative action program which is in compliance with the Constitution and
laws of the United States of America and the State of Georgia.

SECTION 2. Article 3, Chapter 3 of the Charter of the City of Atlanta, which currently provides at § 3-502:

It shall be the policy of the city, its departments, and boards that all personnel matters shall be determined solely on the basis of merit and qualification, without respect to race, color, religion, sex, national origin, or political affiliation.

shall be deleted in its entirety and the following inserted in lieu thereof:

It shall be the policy of the city, its departments, and boards that all personnel matters shall be determined solely on the basis of merit and qualification, without respect to race, color, religion, sex, marital status, sexual orientation, national origin, political affiliation, or gender identity. Further, all personnel matters shall be determined without respect to age, to the extent that the Age Discrimination in Employment Act prohibits discrimination on the basis of age, and without respect to disability, to the extent that the Americans with Disabilities Act prohibits discrimination on the basis of disability.

SECTION 3. That a copy of these proposed amendments to the Charter of the City of Atlanta shall be filed in the office of the Municipal Clerk and in the offices of the clerks of the Superior Courts of Fulton County and DeKalb County, and that a "Notice of Proposed Amendments to the Charter of the City of Atlanta," attached hereto, marked "Exhibit A" and made a part of this ordinance, be published once a week for three weeks in a newspaper of general circulation in the City of Atlanta

and in the official organ of Fulton County, and that a copy of said advertisement be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta, and provided that such final adoption shall only take place during the week immediately succeeding the week in which the last advertisement was published.

SECTION 4. That all ordinances and parts of ordinances and all Charter provisions and parts of Charter provisions in conflict herewith are hereby repealed.

**NOTICE OF PROPOSED AMENDMENTS
TO THE CHARTER OF THE CITY OF ATLANTA**

Notice is hereby given that an ordinance has been introduced to amend the Bill of Rights of the Charter of the City of Atlanta, 1996 Ga. Laws p. 4469, et seq., approved April 15, 1996, to add color, age, gender identity, and disability to the nondiscrimination provision; to make a similar amendment to Article 3, Chapter 3, section 3-502; and for other purposes.

A copy of the proposed amendments are on file in the office of the Municipal Clerk of the City of Atlanta and in the offices of the clerks of the Superior Courts of Fulton and DeKalb Counties, Georgia, for the purposes of examination and inspection by the public.

This ____ day of _____, 2000.

EXHIBIT A